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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,444	07/24/2001	Larry R. Dalton	UOFW117403	4443
26389	7590	02/02/2004	EXAMINER	
CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC			METZMAIER, DANIEL S	
1420 FIFTH AVENUE			ART UNIT	
SUITE 2800			PAPER NUMBER	
SEATTLE, WA 98101-2347			1712	

DATE MAILED: 02/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

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APPLICATION	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/912,444	7/24/2001	Larry R. Dalton	00FW117403

EXAMINER	
D. Metzmaier	
ART UNIT	PAPER NUMBER
1712	01-2004

DATE MAILED:

**This is a communication from the examiner in charge of your application**

**COMMISSIONER OF PATENTS AND TRADEMARKS**

1. ☐ The communication filed \_\_\_\_\_ is informal/non-responsive for the reason(s) checked below and must be corrected.

APPLICANT IS GIVEN A ONE MONTH TIME PERIOD FROM THE DATE OF THIS LETTER WITHIN WHICH TO CORRECT THE INFORMALITY. EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS 37 CFR 1.136(a).

- a. ☐ The amendment to claim(s) \_\_\_\_\_, filed \_\_\_\_\_, fails to comply with the provisions of 37 CFR 1.121 and is accordingly held to be non-responsive. A supplemental paper correcting the informal portions and complying with 37 CFR 1.121 is required.
- b. ☐ The paper is unsigned. A duplicate paper or ratification, properly signed, is required.
- c. ☐ The paper is signed by \_\_\_\_\_, who is not of record. A ratification or a new power of attorney with a ratification, or duplicate paper signed by a person of record, is required.
- d. ☐ The communication is presented on paper which will not provide a permanent copy. A permanent copy, or a request that a permanent copy be made by the Office at applicant's expense, is required, see M.P.E.P. 714.07.
2. ☐ In accordance with applicant's request, **THE PERIOD FOR REPLY FROM THE OFFICE ACTION DATED \_\_\_\_\_ IS EXTENDED TO RUN \_\_\_\_\_ MONTH(S).**  
No further extension will be granted unless approved by the Commissioner. 37 CFR 1.136(b).
3. ☐ Receipt is acknowledged of papers submitted under 35 U.S.C. 119 which papers have been made of record in the file.
4. ☒ Other: *See attached.*

NOTICE TO APPLICANT

### DETAILED NON-RESPONSIVE ACTION

1. The reply filed on September 11, 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the election of species requires an election of a single disclosed species (see paragraph bridging pages 3 and 4) to include an election of a single disclosed compound or polymer. Applicants' election of the restricted Groups consist of Group I, claims 9-18, 21-22 and 29-34, as reading on the elected species, does not elect a single disclosed compound but only the  $\pi$ -conjugated polyene bridge. Applicants should include an electron donor and an electron acceptor to therefore define a single compound for the examiner to begin a search and examination as required in the election of species.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel S. Metzmaier whose telephone number is (703) 308-0451. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on (571) 272-1119. The fax phone

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number for the organization where this application or proceeding is assigned is (703)

872-9306.

A handwritten signature in black ink, appearing to read "Daniel S. Metzmaier". The signature is fluid and cursive, with the first name "Daniel" and last name "Metzmaier" clearly distinguishable.

**Daniel S. Metzmaier**

**Primary Examiner**

**Art Unit 1712**

DSM